

117TH CONGRESS
2D SESSION

H. R. 7731

To require the Administrator of the Environmental Protection Agency to revise labeling requirements for fuel pumps that dispense E15, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2022

Mr. AUSTIN SCOTT of Georgia (for himself and Ms. LOIS FRANKEL of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Administrator of the Environmental Protection Agency to revise labeling requirements for fuel pumps that dispense E15, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consumer Protection
5 and Fuel Transparency Act of 2022”.

1 **SEC. 2. WITHDRAWAL OF E15 FUEL DISPENSER LABELING**
2 **AND COMPATIBILITY WITH UNDERGROUND**
3 **STORAGE TANKS PROPOSED RULE.**

4 Not later than 90 days after the date of enactment
5 of this Act, the Administrator of the Environmental Pro-
6 tection Agency shall withdraw the proposed rule titled
7 “E15 Fuel Dispenser Labeling and Compatibility With
8 Underground Storage Tanks” (86 Fed. Reg. 5094 (Janu-
9 ary 19, 2021)).

10 **SEC. 3. E15 FUEL DISPENSER LABELING.**

11 (a) REVISION OF RULE.—Not later than 180 days
12 after the date of enactment of this Act, the Administrator
13 shall revise the labeling requirements for fuel pumps that
14 dispense E15, including by revising the rule described in
15 subsection (c) with respect to such requirements.

16 (b) INPUT AND REQUIREMENTS FOR LABEL.—In re-
17 vising the labeling requirements for fuel pumps that dis-
18 pense E15 under paragraph (1), the Administrator shall—

19 (1) solicit input from—

20 (A) industries that manufacture vehicles,
21 engines, and equipment that are prohibited
22 from using E15, including boats, lawnmowers,
23 chainsaws, motorcycles, snowmobiles, and pre-
24 2001 model year vehicles;

25 (B) consumer groups that represent users
26 of such vehicles, engines, and equipment;

1 (C) consumer label experts; and

2 (D) retailers (as defined in section 101(7)
3 of the Petroleum Marketing Practices Act (15
4 U.S.C. 2801(7)));

5 (2) require that the label for fuel pumps that
6 dispense E15—

7 (A) include the word “WARNING”;

8 (B) include the words “Check your owner’s
9 manual”;

10 (C) be 5 × 7 inches or larger;

11 (D) include—

12 (i) indicators with respect to vehicles,
13 engines, and equipment that are prohibited
14 from using E15, including—

15 (I) pictograms depicting a boat,
16 lawnmower, chainsaw, motorcycle, and
17 snowmobile; and

18 (II) warnings with respect to pre-
19 2001 model year vehicles; and

20 (ii) other indicators developed by the
21 Administrator, in consultation with the
22 American National Standards Institute
23 and the Federal Trade Commission; and

24 (E) be focus group tested to ensure effec-
25 tiveness; and

1 (3) with respect to blender pumps, in addition
2 to the requirements under paragraph (2), with input
3 from industries, the Federal Trade Commission, and
4 the American National Standards Institute, require
5 an additional warning label on each such blender
6 pump to warn consumers of the residual gasoline left
7 in gasoline pump hoses from the previous individual
8 dispensing.

9 (c) **RULE DESCRIBED.**—The rule described in this
10 subsection is the final rule titled “Regulation To Mitigate
11 the Misfueling of Vehicles and Engines With Gasoline
12 Containing Greater Than Ten Volume Percent Ethanol
13 and Modifications to the Reformulated and Conventional
14 Gasoline Programs” published in the Federal Register on
15 July 25, 2011 (76 Fed. Reg. 44406).

16 **SEC. 4. EDUCATION.**

17 (a) **PUBLIC EDUCATION.**—Not later than 180 days
18 after the date of enactment of this Act, the Administrator,
19 in consultation with affected industries, shall develop and
20 publish on the website of the Environmental Protection
21 Agency educational materials to inform the public regard-
22 ing—

23 (1) the risks associated with the improper use
24 of E15; and

1 (2) the vehicles, engines, and equipment that
2 are prohibited from using E15, including boats,
3 lawnmowers, chainsaws, motorcycles, snowmobiles,
4 and pre-2001 model year vehicles.

5 (b) **REGISTRATION ENTITIES EDUCATION.**—The Ad-
6 ministrators, in collaboration with State entities responsible
7 for boat registration, shall distribute, at the time of initial
8 registration of a boat and at the time of the renewal of
9 a registration for such boat, educational materials de-
10 scribed in subsection (a).

11 (c) **REPORT.**—Not later than 1 year after the date
12 of enactment of this Act, the Administrator shall submit
13 to Congress a report on the impact of the publication and
14 distribution of the educational materials described in sub-
15 section (a), including data and metrics on consumer
16 awareness of E15.

17 **SEC. 5. DEFINITIONS.**

18 In this Act:

19 (1) **ADMINISTRATOR.**—The term “Adminis-
20 trator” means the Administrator of the Environ-
21 mental Protection Agency.

22 (2) **BLENDER PUMP.**—The term “blender
23 pump” means a fuel pump that may dispense mul-
24 tiple blends of fuel, including E15.

1 (3) E15.—The term “E15” means gasoline
2 containing 15 percent ethanol by volume.

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